BILL NO. G-74-11-/3 .

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GENERAL ORDINANCE NO. G-3/-74

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain street in the City of Fort Wayne

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Petition for the vacation of a certain street having been filed with the Fort Wayne City Plan Commission and resolution having been duly adopted by the Fort Wayne City Plan Commission on October 21, 1974 following a public hearing thereon, all in accordance with Section 44, Chapter 174 of the Acts of the General Assembly of the State of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of the General Assembly of the State of Indiana (Burns Ind. Stat., 1964 Replacement, Sec. 53–744), the Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following public street in Fort Wayne, Allen County, Indiana, to-wit:

A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance, of the recommendation of the Fort Wayne City Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof.

Jan Juelog Councilman

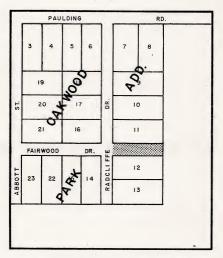
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Moreye , and duly adopted			
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o'clock P.M., E.S.T.		1 11	
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seconded by Huga	, and duly	adopted, placed on	its passage.
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DATE: 11/26/54		hullo Ti	luliano
DATE		CITY CLERK	REPORT COL
Passed and adopted by the Common	Council of the	City of Fort Wayne,	Indiana,
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(Resolution) No. 2-31-74.	on the 26 m	day of A	Maso, 1974.
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at the hour of /30 o'clock	M.,E.S.T.	7 . 0	
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N. V.		Mator	

Bill N	No. <u>G-74-11-13</u>	
	REPORT OF THE	E COMMITTEE ON REGULATIONS
We, yo	our Committee on Regulations	to whom was referred an Ordinance
	amending General Ordinance No.	G-97 by authorizing the vacation of a certain
	street in the City of Fort Wayne	3
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have h	nad said Ordinance under considerati	ion and beg leave to report back to the Common
Counci	Il that said Ordinance	PASS.
Jo	ohn Nuckols - Chairman	John Muchel
Vi	ivian G. Schmidt - Vice-Chairman	(Tingan & Schraudt
Wi	illiam T. Hinga	William of Donge
Pa	aul M. Burns	Charle Mi France
Do	onald J. Schmidt	Q)SJ
	DATE (- 26-7)	CONCURRED IN CHARLES W. WESTERMAN, CITY CLERK

ARLES W. WESTERMAN, CITY CLERK



STREET TO BE VACATED



October 22, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the City of Fort Wayne City-County Building One Main Street Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution for the vacation of the following:

A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition.

which was approved by the City Plan Commission at its regular meeting held October 21, 1974.

> Respectfully submitted, CITY PLAN COMMISSION

Certified and signed this 22nd day of October, 1974.

> Thomas J. Offerle Secretary

RESOLUTION

WHEREAS, David Pickett, has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street in Allen County, Indiana, to-wit:

A portion of Fairwood Drive from Radcliffe Drive to an alley in Oakland Park Addition, to the City of Fort Wayne, Indiana,

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Ind. Ann. Stat. § 53-744 (Burns 1964 Repl. Ed.); and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on the 21st day of October, 1974, at 7:30 o'clock P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street;

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan

Commission that the vacation of said public street or alley hereinbefore described conforms to the general policy and pattern of

development set out in the Master Plan of the City of Fort Wayne,

Indiana:

BE IT FURTHER RESOLVED by the Fort Wayne City Plan

Commission that the vacation of said public street hereinbefore described be and the same is hereby approved;

BE IT FURTHER RESOLVED that the action of the Fort
Wayne City Plan Commission be forwarded to the proper governing
body having jurisdiction of the vacation of streets in Allen
County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

T, James E. Kelley , President of the

Fort Wayne City Plan Commission, do hereby certify that

attached hereto is a full, true and correct copy of a

resolution adopted by the Fort Wayne City Plan Commission

following a public hearing of said Commission held on the 21st

of October, 1974, and as the same appears of record in the

official records of said Plan Commission.

DATED THIS 21st DAY OF OCTOBER, 1974.

FORT WAYNE CITY PLAN COMMISSION

President Gelly

STATE OF INDIANA)

BEFORE THE CITY PLANNING COMMISSION

SS:

COUNTY OF ALLEN)

OF FORT WAYNE, INDIANA, ALLEN COUNTY

IN RE: VACATION OF A STREET

TO WIT: A PORTION OF FAIRWOOD)
DRIVE FROM RADCLIFFE)
DRIVE TO AN ALLEY IN) PETITION TO VACATE
OAKLAND PARK ADDITION,)
TO THE CITY OF FORT)
WAYNE, INDIANA)

TO: THE FORT WAYNE CITY PLANNING COMMISSION

Comes now your Petitioner, David Pickett, by his Counsel, and respectively shows the Commission the following:

- The street involved herein is located in Oakland Park Addition, an Addition to the City of Fort Wayne, Indiana.
- That the herein involved portion of Fairwood Drive dead-ends into an alley.
- 3. That said alley is not being used for vehicular traffic.
- 4. That the part of Fairwood Drive which petitioner prays will be vacated lies between Lot No. 11 and Lot No. 12 of Oakland Park Addition.
- 5. That the petitioner is the owner of Lot No. 11 and Lot No. 12 in said Addition, and by reason of said ownership is the abutting landowner with regard to the property sought to be vacated.
- 6. That Turtle Creek Apartments are situated behind petitioners lot, and that petitioner has conversed with the manager of said Turtle Creek Apartments, and that said manager has no objection with regard to the portion of Fairwood Drive sought to be vacated.

- That said portion of Fairwood Drive sought to be vacated is unimproved.
- 8. That the alley which Fairwood Drive dead-ends into is overgrown with grass and weeds, and that there is no vehicular traffic making use of said alley.

WHEREFORE, Petitioner prays that the Fort Wayne City Planning Commission make a finding, and resolve and order that the Street known as Fairwood Drive in Oakland Park Addition, to the City of Fort Wayne, Indiana, which is bordered by Radcliffe Drive, and Lot No. 11 of said Addition and an alley, and Lot No. 12 of said Addition, be vacated, and that all further just and proper acts and conduct be performed in order that said portion of Fairwood Drive be vacated.

PETERS & TERRILL ATTORNEYS FOR PETITIONER 1700 LINCOLN BANK TOWER FORT WAYNE, INDIANA 46802 TELEPHONE: (219) 743-3305

By Steven E. Kastner

	Admn. Appr
Number assigned by Dave Keller's Office:	,
TITLE OF ORDINANCE Street vacati	on ordinance
COM DEPARTMENT REQUESTING ORDINANCE OF	MUNITY DEVELOPMENT AND PLANNING / DIVISION LONG RANGE PLANNING AND ZONING
SYNOPSIS OF ORDINANCE Petitioners	requesting the vacation of the
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in Oakland Park Addition, to the City of	Fort Wayne, Indiana.
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Street is unopened	l and unimproved. If vacation, street
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Street will 1	remain a dedicated street, although
EFFECT OF NON-PASSAGE	
unopened and unimproved.	
	News
MONEY INVOLVED (Direct Costs, Expenditures, So	avings)

ASSIGNED TO COMMITTEE (J. N.)_____

Number assigned by Dave Keller's Office:

Admn. Appr.

TITLE OF ORDINANCE
COMMUNITY DEVELOPMENT AND PLANNING / DIVISION DEPARTMENT REQUESTING ORDINANCE OF LONG RANGE PLANNING AND ZONING
SYNOPSIS OF ORDINANCE Petitioners requesting the vacation of the
following: A portion of Fairwood Drive from Radcliffe Drive to an alley
in Oakland Park Addition, to the City of Fort Wayne, Indiana.
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EFFECT OF NON-PASSAGEStreet will remain a dedicated street, although
unopened and unimproved.
MONEY INVOLVED (Direct Costs, Expenditures, Savings)
ASSIGNED TO COMMITTEE (J.N.) Regulation



CITY OF FORT WAYNE FORT WAYNE, INDIANA

CHARLES W. WESTERMAN CITY CLERK

December 2, 1974

Miss Helen Libbing Fort Wayne Newspapers, Inc. 600 West Main Street Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of December 5 and 12, 1974, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for the Common Council of Fort Wayne, Indiana:

General Ordinance No. G-31-74 Vacation of a certain street (Fairwood Drive)

General Ordinance No. G-34-74 Vacation of an alley

Zoning Map Ordinance No. Z-19-74 Fisher Place Addition

General Ordinance No. G-33-74 Vacation of a:street (Chepequah Lane)

General Ordinance No. G-32-74 Vacation of a street (Yale Avenue)

Please send us five (5) copies of the Publisher's Affidavit.

Thank you.

Charles W. Westerman

City Clerk Melvin G. Honeck Deputy Clerk

MH/ne Encl:5

12-5-12

Form Préso	cribed by	State Board of Acco	ounts			G	eneral Fo	rm No. 99	P (Rev 1967)
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